The Review.

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THE TAXATION OF CHURCH PROPERTY.

THE *Green Bag*, a monthly magazine for lawyers, published in Boston, gave space in one of its recent issues (vol. xv, No. 9) to a discussion of the question: "Ought church property to be taxed?" The article in question, written by a member of the legal profession and addressed to the serious consideration of professional readers, has occasioned some comment in the secular press and seems to have alarmed some of our brethren, who fear that it may be the signal of a campaign to subject all ecclesiastical property to the burden of general taxation, equally with every other kind of property over which the State exercises the taxing power.

We do not share in this apprehension. Neither are we impressed with the labored argumentation by which the writer strives to sustain his contention that church property ought to be taxed.

Indeed, so puerile are some of his arguments that we begrudge the space required to state and answer them. Nor is our respect for the writer increased by discovering (what is patent on the face of his paper) that he is not only hostile to all religion, but that he is especially prejudiced against the Catholic Church. For, who but an enemy could have revived the stale talk, so prevalent during the Know-nothing period, about "foreign intervention" and "foreign control" of church property in this country, "which may be used against the best interests of the public" (see p. 416).

The writer, Duane Mowry, makes no disguise of his animosity to churches in general; for, anticipating the objection that taxation would drive some church organizations out of existence, he tells us (p. 417): "If, however the taxation of church property should prove the weapon of its destruction, the day of its death

can hardly come too soon, and furnishes another patent argument in favor of the contention of this [his] paper," viz., that church property ought to be taxed.

Briefly stated, the reasons for taxing church property assigned by Mr. Mowry are: That the Church performs no public office or function known to the law of the land entitling it to immunity; that the exemption of church property involves a union of Church and State forbidden by law, and that it unjustly favors the church-going taxpayers at the expense of those who do not believe in any religion or in a God; that such exemption tends "to the accumulation of great wealth to be held in mort-main by never-dying corporations independent of the State and which may be used against the best interests of the public." Lastly the writer tells us in effect that, since our churches are supported by voluntary contributions, we act inconsistently when we accept immunity from taxation, which, he says, is not a gift voluntarily bestowed by the State in the same way as are the ordinary offerings of the people.

What may we answer to these specious objections?

Is it true that the Church performs no public office and renders no public service entitling it to immunity from taxation? Such an objection take a very narrow view of religion and of its influence on the minds and conduct of men. It assumes that, because we have no State religion, the State can not take notice of the fact that many large bodies of its citizens have associated themselves in institutions which we call churches for the public worship of the ever-living God in such manner as the conscience of each dictates. It asks us to ignore the motives, the operations, and the influence which religion has ever exercised, and will continue to exercise, upon society as well as upon the individual. It stultifies the wisdom and teachings of the founders of the Republic, through whose efforts the principle of freedom of religion was incorporated in the fundamental law of the land; not for the purpose of suppressing, but to promote religion; not that there should be no church, but that there should be many churches wherein the Dissenter, the Catholic, the Jew, and all others whose religion had theretofore been proscribed, might, notwithstanding the diversity of creeds, offer their public worship to the living God with the same security and with the same rights before the law as were enjoyed by those other churches which had previously been supported by the State.

We have said that the objection urged against the exemption of ecclesiastical property rests on low ground. It is the plea of the political economist who regards property only as material for taxation, and it excludes from consideration those nobler sentiments which regard church property as no longer the property

of individuals, but as devoted to the worship of Almighty God, and, by consequence, as belonging to Him, detached from all tribute, tax or service to which the State may ordinarily subject the property of its citizens. Creeds may vary, dogmatic religion may decay, as it is fast decaying outside the one true Church, but the idea of reverence for a Supreme Being, who controls our destinies, who is entitled to our worship, and whose temples are to remain secure against the profaning hand of man, will ever remain instinct in the human heart, despite the clamor of all those who scoff at religion and who say there is no God.

So universal and enduring has been this sentiment of respect for the temples of religion, that even among the pagan nations of antiquity any profanation of the idols, temples or of the persons or things consecrated to their service, was believed to draw down punishment on the offender.

The Old Testament is full of examples of the punishment suffered by those who in any way trespassed against either the Temple dedicated to the Most High, or appropriated the offerings which were made for the support of religion. Under the Christian dispensation, and among all Christian states and peoples, the House of God has ever been regarded as an institution apart from and above ordinary human affairs, as the sacred place dedicated to the honor and service of Him to whom "belongs the whole earth and the fulness thereof." And as impressed with this sacred character, the property of the Church has always been most jealously guarded by Christian rulers against invasion or interference.

When the Puritan colonists came over and established their Biblical Commonwealth, they set up their meeting-houses in New England, which not only were not taxed, but were supported by contributions collected from all the people. In Virginia, the State Church of England was established by law, and all the inhabitants were forced to contribute for its support. But we know of no instance where any attempt was made to lay a tax directly upon church property; and the freedom of religion, which was guaranteed by the Constitution and which has now become an essential feature of our State as well as national government, has always been interpreted in such a liberal sense as not only to permit the individual to worship Almighty God according to the dictates of his own conscience, but also to exempt from taxation all property devoted to religious purposes and used exclusively for public religious worship.

This has now become the settled policy of all the States of the Union, we believe without exception; and when we look into the reasons of this policy we find the refutation of the objection that the

Church performs no public office entitling it to immunity from taxation. For, there is no truth resting more firmly on principle, nor more abundantly proved by the experience of mankind, than that the welfare of a nation and the stability of government do not depend on mere social, industrial, or scientific progress, nor on the accumulation of wealth nor the multiplication of luxuries, nor on great armies or navies, nor even on the universal education of the masses. On the other hand, most certainly the prosperity of a people does depend on the morality of its citizens, on the practice of those cardinal virtues of justice, truthfulness, fair-dealing, and respect for the rights of others, and especially on the maintenance of the rights and dignity of the family, without which society must disintegrate. The wisest philosophers of Greece and Rome taught this lesson, and no government, whether ancient or modern, which might deserve to be called civilized, but has laid its subjects under the obligation of observing that moral law of nature which, summed up in the words of the Christian legist, Justinian, required them "*honeste vivere, alterum non laedere, suum cuique tribuere*," to live honestly, not to hurt any man, and to give every one that which is his due.

The statesmen and patriots who laid the foundations of this Republic, were men of profound religious conviction, who fully realized that the protection of life and liberty and the pursuit of human happiness, the avowed object and end of government, could not be successfully achieved without a rigid observance of the universal moral law; and hence we find that the State has incorporated into its policy and into its laws, not indeed the entire Decalog, but all those commandments designed to regulate our conduct towards our fellow-citizens and towards the State. And this, not as the teaching of Christianity or of any other professed religion, nor by way of positive precept requiring men to be virtuous, but by a series of enactments forbidding them to be dishonest or otherwise immoral, prohibiting intemperance, blasphemy, perjury, fraud, theft, the taking of human life and various other wrongs done by violence or through licentiousness, and punishing the violator of these moral laws by penalies proportioned to the seriousness of the offence. Much of the energy and resources of government are expended in the enforcement of these moral laws, and our police force and criminal courts, our State prisons and reformatories, nay, even our alms-houses and insane asylums, which are maintained to some extent to alleviate the consequences of moral disorder, one and all attest how costly a burden on the community is crime and how important it is to the welfare of the people that men should be persuaded of the wisdom

and advantage of conforming their lives to the standard of the moral law.

Now, all fair-minded men admit, and we do not need to argue the point, that the Church is the State's most powerful ally in its effort to compel the observance of the moral law, to maintain social order, and thereby to ensure the well-being and happiness of the people. From every pulpit worthy of the name ministers of religion, from higher motives, however, than mere State policy, are denouncing the wrong-doing which the State condemns and punishes, and are striving, by every argument which appeals to the nobler side of human character, to impress on their fellow-men the duties which they owe to God, to their neighbor, and to themselves; to make them in a word loyal and law-abiding citizens.

Is all this effort futile? Does the Church exert no influence on the character of the nation? Let the lives and conduct of the millions of God-fearing men and women who make up the church membership, furnish the contradiction. Let the rich say whether the sentiment of religion inculcated in the churches has moved them to contribute to the erection of the hospitals, asylums, homes for suffering humanity with which religion is everywhere actively identified. Let the poor answer whether anything but the teachings of religion could have reconciled them to the patient acceptance of their trying lot.

The State itself acknowledges the efficiency of the Church as the conservator of peace and order, for, in all the great crises, whether industrial or political, which have occurred in our history, when human law was set at defiance and mob rule with its attendant disasters seemed to be imminent, the authorities of the nation have turned to the Church for relief and have used its good offices to restore peace and tranquillity. Out of our taxes we pay the police officer whose mere presence deters the wrong-doer. He is undoubtedly an institution performing a "public service known to the law," but our adversary strains at the proposition to exempt our churches from taxation, when, if we may be allowed the sordid comparison, the Church through its good influences saves to the State many times the amount of the exemption which a wise and enlightened public policy has always granted and, we trust, will continue to grant.

We reserve a few remarks on the other objections for our next number.

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AN IMPORTANT DECISION OF THE SUPREME COURT OF WISCONSIN.

AFFIRMING THE RIGHT OF A CATHOLIC INSURANCE SOCIETY TO EXPEL A MEMBER WHO DOES NOT LIVE UP TO HIS RELIGION.

[Several of our Catholic papers have made brief reference to the recent decision of the Supreme Court of Wisconsin in the case of Emma S. Barry against the Catholic Knights of Wisconsin. Through the kindness of our friend and subscriber, Judge J. H. M. Wigman, of Green Bay, whose firm, Wigman, Martin & Martin acted as attorneys to the respondent, we are enabled to present to our readers the full and accurate text of this interesting and important opinion.—A. P.]

This is an action by the plaintiff, as widow of one James H. Barry, deceased, upon a mutual benefit certificate issued by the defendant to said James H. Barry in his lifetime.

The action was tried by the court, and the facts necessary to be stated are undisputed. The defendant is a mutual benefit association incorporated under the laws of Wisconsin for the benefit of practical Roman Catholics only and providing the death benefit of $2,000. Its articles of incorporation provide among other things that "a member who shall cease to be a practical Catholic or a communicant of said Church, or who shall neglect to receive holy communion at least once a year, or who shall join any organization condemned by the Church, or any society using the oath of secrecy, or who shall fail or neglect to pay any assessment or dues within the time therefor prescribed, shall be discharged and expelled from membership of this order, and deprived of all benefits thereof." The constitution of the order provides among other things as follows: "Sec. 2. No person shall be admitted to membership in this branch unless he is a practical Catholic and a communicant of said Church nor unless he furnish a certificate from his pastor, or the spiritual director of the branch, that he is a practical Catholic.....He must receive holy communion at least once a year, at Easter or thereabouts, and he shall furnish and file with the branch a certificate from his pastor or furnish other satisfactory evidence within sixty days after Easter Sunday, certifying or showing that he performed his Easter duty, under penalty of forfeiture of all benefits.....Sec. 40. Any member in good standing shall be permitted to remove from this State to spend any or the whole part of his life elsewhere without losing his benefits, provided he keeps his assessments and his share of the expenses of the branch to which he may belong and the expenses of the order paid up as they may become due. He must also, in every respect, comply with the constitution, laws, rules, and regulations of the order and furnish to the branch of which he is a member a

certificate once a year from the pastor of the parish in which he resides, that he is a communicant of said Church, and that he has received holy communion at least once during the year."

Upon the 24th day of October, 1885, James H. Barry, being then a single man residing in Madison, made written application for membership in the Madison branch of the defendant corporation, in which application he stated as follows: "Having read the constitution and laws of your order, the subordinate constitution and by-laws, and being fully acquainted with the objects of your order and fully endorsing them, I desire to become a member of your branch, and of your order, and if elected eligible to membership and admitted upon examination, I do promise to faithfully carry out the principles as set forth in the constitution of your order, your subordinate constitution and by-laws; and upon any failure on my part to strictly conform to the said constitution and subordinate constitution and by-laws, that now, or may hereafter govern your order, as well as your branch, I do hereby agree to forfeit all rights to membership and benefits."

Upon this application a benefit certificate was issued to him December 3rd, 1885, in which his father and sisters were named as beneficiaries. September 23rd, 1890, Barry was married to the plaintiff at Batavia, Ill., by a Protestant minister; the plaintiff having been previously married to one Moulton, whom she left in 1884, there being no evidence as to his death or whether a divorce had been obtained. On December 19th, 1891, Barry surrendered the first certificate issued, and a new certificate was issued to him in which the plaintiff was named as the sole beneficiary; the defendant's officers not knowing at the time the fact that Barry had been married by a Protestant minister. This certificate recites that it is issued in consideration of the statements and representations made in the original application, which is made a part of the certificate, and upon the express condition that Barry should well and truly perform all of the requirements of the constitution, laws, and regulations of the order then in force or thereafter adopted; and provided that if he did do so, and in that case only, the order would pay to the beneficiaries the death benefit.

From 1893 up to his death Barry lived outside of the State. June 4th, 1893, the Madison branch voted to expel him from the order because of his marriage by a Protestant minister, by which fact he ceased to be a practical Catholic. This action was claimed by the appellant to be void for lack of proper notice and other reasons. Barry died October 11th, 1893; proofs of his death in the ordinary form of life-insurance proofs were tendered to the defendant's officers in due time and refused; said proofs contained no statements showing that Barry had performed his church

duties as required by the constitution and articles of incorporation nor that he was at the time of his death a practical Catholic. There was undisputed proof that, by the laws of the Roman Catholic Church, a member thereof who is married by a Protestant minister, is thereby excommunicated, and the trial court found that Barry at the time of his death had ceased to be a practical Catholic, and for that reason the plaintiff was not entitled to recover, and the complaint was dismissed, and the plaintiff appeals.

WINSLOW, J.:—There were a number of interesting questions discussed in the briefs in this case which we have not found it necessary to consider. To our minds a few simple propositions demonstrate the correctness of the judgment. The defendant corporation was organized for the sole benefit of members of the Roman Catholic Church, and for them only so long as they remain practical Catholics. The decedent in his application for membership understood this and agreed that, if admitted, he would faithfully carry out the principles set forth in the constitutiou and by-laws of the order, and that upon any failure so to do, he should forfeit all right to membership and benefits. This agreement became part of the contract of insurance by the terms of the certificate in suit, and the certificate further provided that the death benefit should only be payable in case the insured should well and truly perform all the requirements on his part prescribed by the constitution, by-laws, and regulations of the order during his lifetime. Thus the liability was doubly guarded; first by an agreement to forfeit the benefit in case of non-compliance with the laws of the order; and second by a clause making liability dependent upon compliance. Those contract provisions are self-executing. The laws of the order provide in terms too plain to be misunderstood that none but practical Catholics shall be admitted to the order, and that members must remain practical Catholics and communicants of the Church in order to participate in the benefits. The evidence shows that the decedent was *ipso facto* excommunicated and ceased to be a Catholic, practical or otherwise, upon being married by a Protestant minister. Thus by virtue of the provisions of the contract sued on all liability ceased, and expulsion was not necessary.

An argument is made that these provisions are contrary to the policy of the law in that they impose a religious test, and sections 18 and 19 of Article I, of the Constitution was cited. The objection seems puerile. By the provisions no man's conscience is coerced nor his freedom of worship curtailed. Membership is purely voluntary. If a man chooses to join an organization having such requirements, and agrees that he shall forfeit his right to

benefits on failure to live up to them, he is at liberty to do so. All men may make contracts as they choose, so long as they be not contrary to law or public policy. The point has been expressly decided in other courts in accordance with these views. Franta v. Union (Mo.) 54 L. R. A. 723; Mazorkiewicz v. Society, 127 Mich. 123, 54 L. R. A. 727; 86 N. W. 543.

By the Court: Judgment affirmed.

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PHALLIC WORSHIP IN MODERN AMERICAN FREEMASONRY.

Have we had enough of paganism, dear reader? If we have had, not so our Ritualist. Hitherto it has been mainly theorizing, now it will become more definite and practical. It has spoken of sun worship and of phallic worship as a prominent feature of it in the ancient mysteries. It barely touched, however, on the fact in passing. It is now formally to introduce the candidate to this feature, which is the essence of Masonry, as it was of heathenism.

If my assertion shocks many, let them remember the "Shock of Entrance" and the "Shock of Enlightenment," of which I have spoken in a preceding article. We can not expect to be less shocked than aspirants to Masonry.

And here I must apologize if this article touches upon matters that to Christian ears and eyes are not delicate. The fault is not mine, but Masonry's. I do not ask to be believed on my assertion. I must, therefore, as I have hitherto done, adduce my proofs.

"Our ancient brethren," says Mackey on pp. 61, 62, 63, of his Masonic Ritualist, "dedicated their Lodges to Solomon, because he was our first Most Excellent Grand Master; but modern Masons dedicate theirs to St. John the Baptist and St. John the Evangelist, who were two eminent patrons of Masonry; and since their time there is represented in every regular and well-governed lodge, a certain point within a circle, embordered by two perpendicular parallel lines, representing St. John the Baptist and St. John the Evangelist; and upon the top rests the Holy Scriptures. The point represents an individual brother; the circle is the boundary line beyond which he is never to allow his prejudices or his passions to betray him. In going round this circle we necessarily touch on these two lines as well as in the Holy Scriptures, and while a Mason keeps himself circumscribed within these due bounds, it is impossible that he should materially err."

"There!" triumphantly exclaims the defender of Masonry's moral goodness and Christianity, "what more do you want? Masonry dedicates its lodges to St. John the Baptist and St. John the Evangelist, two of its eminent patrons; the one the precursor of

Christ; the other, his beloved disciple. It proposes also the Holy Scriptures as the rule of Masonic conduct. How can you reconcile such orthodox and Christian sentiments with your pagan theory of Masonry?"

Truly, dear reader, the task were hard did not our Ritualist kindly proffer its aid. Let us allow it to continue its instruction:

"The point within a circle," it says, "is an important and interesting symbol in Freemasonry, but it has been so debased in the interpretation of it given in the modern lectures, that the sooner that interpretation is forgotten by the Masonic student, the better it will be. The symbol is really a beautiful but somewhat abstruse allusion to the old sun-worship, and introduces us for the first time to that modification of it known among the ancients as the worship of the Phallus."

"The phallus," it continues, "was an imitation of the male generative organ. It was represented usually by a column which was surrounded by a circle at its base, intended for the cteis, or female generative organ. This union of the phallus and the cteis was intended by the ancients as a type of the prolific powers of nature, which they worshiped under the united form of the active or male principle, and the passive or female principle. Impressed by this idea of the union of these two principles, they made the older of their deities hermaphrodite, and supposed Jupiter, or the Supreme God, to have within himself both sexes, or, as one of their poets expresses it, 'to have been created a male and an unpolluted virgin.'"

"Now this hermaphrodism of the Supreme Divinity," the Ritualist goes on to say, "was again supposed to be represented by the sun, which was the male generative energy, and by nature or the universe, which was the female prolific principle. And this union was symbolized in different ways, but principally by the point within the circle, the point indicating the sun, and the circle the universe of nature, warmed into life by his prolific rays."

We now come to the Masonic explanation of St. John the Baptist and St. John the Evangelist, the eminent patrons of Masonry. The Ritualist proceeds:

"The two parallel lines which in the modern lectures are said to represent St. John the Baptist and St. John the Evangelist, really allude to particular periods in the sun's annual course. At two particular periods in this course, the sun is found in the zodiacal signs of Cancer and Capricorn, which are distinguished as the summer and winter solstice. When the sun is in these points, he has reached respectively his greatest northern and southern limit. These points, if we suppose the circle to represent the sun's annual course, will be indicated by the points where the

parallel lines touch the circle. But the days when the sun reaches these points are the 21st of June and the 22nd of December, and this will account for their subsequent application to the two Saints John, whose anniversaries the Church has placed near these days."

"So," concludes our little guide, "the true interpretation of the point within the circle is the same as that of the Master and Wardens of a Lodge. The reference to the symbolism of the world and the Lodge is preserved in both. The Master and Wardens are symbols of the sun—the Lodge of the universe or the world; the point also is the symbol of the same sun, and the surrounding circle of the universe, while the two parallel lines really point, not to two saints, but to the two northern and southern limits of the sun's course."

Few passages of our Ritualist, dear reader, give us a clearer insight into the hollowness of Masonry's Christian pretenses than the preceding. It starts out with a great flourish of trumpets in praise of the two Sts. John, its eminent patrons, only to end up by telling us that it is not speaking of the historic Saints at all, with whom it has nothing to do, but with two points of the sun's annual course, the points of its greatest and least fervency. The sun, and sun worship, and phallic worship, are still its theme. The names of the two Saints are used as mere symbols to express to the initiated the sun in the zodiacal signs of Cancer and Capricorn, and to deceive the uninitiated by giving them to believe that it speaks of the Precursor and the Disciple of Christ.

We confess that when we first read the words, we were in part deceived. We took them, as one uninitiated would naturally take them, and supposed that the expressions, however erroneously used, referred to the historic Saints. We remembered what we had read about these same Saints in the directions for opening a lodge, and never imagined that hypocrisy could go so far.

"A lodge is then declared," said our author on p. 14, "a lodge is then declared in the name of God and the Holy Saints John to be opened in due form, on the first, second or third degree of Masonry, as the case may be."

"A lodge is said to be opened *in the name of God and the Holy Saints John*" (the Italics here are our author's), "as a declaration of the sacred and religious purposes of our meetings, of our profound reverence for that Divine Being whose name and attributes should be the constant themes of our contemplation and of our respect for those ancient patrons whom the traditions of Masonry have so intimately connected with the history of the institution."

Compare the two passages and form your own conclusions. The lodge is opened in the name of God and His Holy Saints!

And who are those Holy Saints? Two points in the sun's annual course. In the name of God and the zodiacal signs of Cancer and Capricorn, the Holy Saints John of Masonry, the lodge is opened for sacred and religious purposes! And lif the "Holy Saints" of Masonry are such, what is the God of whom it speaks? What is the worship to which it introduces its candidate, for my reader will be astonished to learn that we are only in the lowest degree of Masonry, in that, namely, of Entered Apprentice. The worship is phallic worship, whose god were the generative faculties of man; and hence "in every regular and well-governed lodge" there is found the pagan symbol of that worship, the point within the circle. In fact the whole symbolism of Masonry has this alone in view. The very constitution of its lodge is an expression of it. The lodge represents the universe or nature, which in turn, as our author tells us, is the symbol of the female generative potency. The three principal officers represent the sun at rising, at midday, at setting, which is but a symbol of man's passions in manhood, middle age, and decline. These same officers are represented by columns. The lodge is said symbolically to rest upon the columns of wisdom and strength and beauty, and our author has told us in the present passage what a column signifies. It is the male generative principle.

The worship of the procreative powers of nature was, as is known to every classical student, the scope of the pagan mysteries. He who gives them a different object, is either sublimely ignorant himself, or counts on the sublime ignorance of those whom he addresses. Masonry, the legitimate child of these mysteries, in whom is their lifeblood and spirit, is not untrue to its descent. And this will become plainer and plainer as we pursue our study. No wonder, then, that the sanctity and perpetuity of Christian marriage is distasteful to the "Brethren," and that, where Masonry rules, divorce invariably reigns. Let the Ritualist, if it will, call its symbol beautiful and abstruse; there is no accounting for tastes; let it constitute the religious cult of Masonry, as the pagans did, in the indulgence of sensual desire; we thank it for the key to its system of religion, for it opens up to us the meaning of many passages which otherwise were not easily intelligible. Its "important symbol found in every well-regulated lodge," is a symbol of indulgence, the old phallic worship of the pagans, and over this preside its Holy Summer and Winter Solstice and that luminary whose apparent course in the heavens is recalled in every ceremony of the lodge.

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MEDIEVAL HUMOR.

Amongst the ruling characteristics of German life in the Middle Ages, next to religious earnestness, was fresh and hearty humor. The sport of the intellect with contrasts, which forms the kernel, as it were, of humor, if not exclusively the attribute of Christian art and literature, is at any rate a very marked feature of it. For as it was Christianity that first brought out in conscious relief the height and depth of the human spirit as well as the relations between human freedom and the eternal laws of God, and thus established a firm centre round which the play with opposites might move; so long, therefore, as personal, domestic, and public life all rested on the basis of Christianity, so long as the Church was a centre of unity of the complicated organism of society in the Middle Ages, the humorous vein in the national life flowed on with vigor and freshness, branching out in every direction and enlivening every department of life. Witness the picturesqueness and poetry of the popular manners, the various feasts and public sports—some of them singular—in which the jester and the donkey played a prominent part.*) The innumerable witty sayings, comic tales, pictures and caricatures of that age attest the truth of this statement. It is only where faith reigns and heart and will are alike healthy and strong, that fun and humor thrive abundantly; for only in times when this is the case, are men free and bold, because they are filled with the joy and courage of life; they are mirthful and jolly and yet suffer no serious harm, even if their humor transcends the bounds and grows into comedy and satire. In times of unbelief or narrow bigotry and fanaticism, on the other hand, popular humor disappears.

Had the Church desired in the Middle Ages to suppress popular humor, the strength of her power and influence would have made it an easy matter; but such discipline was far from her system. Embracing all men in her fold, she understood their various wants and aspirations and encouraged a free and independent expression of their feelings, so long as the faith as such, and she herself as its guardian, were not impugned; she fostered and encouraged the spirit of humor, and, so to speak, allowed it to mount guard over the holy places, as if to keep man mindful of the distance between the sacred and the profane. Not only on the buttresses and water-spouts and other exterior parts of consecrated temples were grotesque caricatures to be found, but also

*) "Our religious and secular feasts in the Middle Ages," says Gervinus (Gesch. der deutschen Dichtung, ii. 277-78, "were surely full of poetical life and exulting joy; who does not feel like envying those times now that everything of the kind is purposely suppressed?" A man must have "lost all his marrow," he thinks, if he would prefer the social pleasures of to-day to those of the olden time

inside, on the pillars, the lecterns, in the sanctuary, and even on the altars and tabernacles. From harmless ridicule we sometimes find this humor passing into satire, but always giving evidence of the general thirst for truth, the sense of the nothingness of earthly greatness, and the struggle between good and evil ever going on in the soul of man. The grotesque carvings in the interior of churches and monasteries, particularly on the choir seats, fulfilled the same mission to the clergy that the court jester did to the nobles. In accordance with the spirit of the times jesters were given to the princes "as convex mirrors which reflected their image in diminutive and distorted lines."

As long as the Church stood unshaken on her eternal pillars, it could only benefit her if art chastised the existing public abuses, if it lashed the weaknesses of those who held spiritual or secular power, and unmercifully ridiculed the contemporary vices, pride and luxury and unbounded sensual indulgence. These railleries became dangerous, however, when authority or the spirit of God Himself was denied and humor thus lost the bridle of a higher discipline. What had previously been light banter became lawless license and vulgar caricature, threatening popular demoralization.

In an age when a protecting law forbade excess and the higher aim was never lost from view, the bringing into contrast of things elevated with things commonplace, of earnestness with humor, was not only tolerated but encouraged, even though it sometimes bordered on the coarse. For example, we find an artist with great patience, fervent love, and deep reverence skillfully illuminating the Annunciation in a prayer-book, and in the decoration of the vignette he draws an ape like a hunter aiming his bow at another, who turns his back for a target. The magnificent pen-and-ink sketches with which Dürer illustrated a prayer-book for the Emperor Maximilian are full of comic allusions. In illustration of a prayer against human weakness, Dürer represents the thin figure of a doctor who, with large spectacles is examining a urinal, while in his left he holds his rosary behind his back. Over a prayer against temptation the same artist drew a fox playing the flute by the side of a puddle and attracting a flock of chickens, who are awkwardly approaching him. Close to a giver of alms stands a fox that has stolen a hen. A satyr sits blowing a horn, while an angel prays. Beneath David playing on the harp we find a screaming heron. An address "Against the Mighty" is illustrated by a picture of an emperor who holds a globe in his left hand, the sceptre in his right, while he is seated on a wagon drawn by a goat, which a child on a wooden horse drags by the beard. Among the most remarkable of these serio-comic productions is a picture of the Blessed Virgin absorbed in prayer, while the Holy Spirit hovers above her; in the

left corner the Devil is vanishing, followed by a hail-storm and tearing his hair.

These sallies of humor were intended to bring into bold relief, in all their depth and power, things sublime and serious. The spirit of humor was not wanting even in the representations of the Devil, who was decked out as a hostile force, but powerless against Christ and His Church. The artists often placed little angels in every position of infantile sport near the Evil Spirit.

The extravagances and foibles of the time are ridiculed and satirized in innumerable engravings, the female vanity and love of dress taking ever a prominent place. Amorous fops, old as well as young, were used as targets for wit, and artists were inexhaustible in their mockery especially of the extravagant and insolent peasants.

The opinion that the medieval artists, by their caricatures of the clergy, especially monks, veiled a rebellious protest against the Church and holy faith, has already been refuted by Görres (Volksbücher, 294-295.) "We usually find such caricatures," he says, "on the consols of the choir seats, commonly called *misericordiae*, which allows us to surmise that the clergy rather encouraged such allusions with the earnest purpose of sparing no foibles, not even those of their own class." "If this theory be true, we shall have to place a different construction upon these artistic extravagances than the one commonly accepted. If the wolf and the fox are clothed in the monkish habit, it is not with a view to insult the clergy, but to recall the cunning and tempter's art characteristic of these beasts. The animal fable with its easily understood lessons was considered also by the clergy as a source of symbolism which illustrates the temptations of the Evil One and the combat of true faith with the demons' power."*)

* * *

The First Allocution of Pius X., delivered in the secret consistory on November 10th, dealt three hard blows to Liberalism. For the Holy Father not only declared it as his chief duty and endeavor, to preserve sacred and inviolate the deposit of the faith ("ut sancte inviolateque servemus depositum fidei,") but insisted on the freedom of the Holy See and the restoration of the temporal power ("Quum vero necesse sit christianaeque rei publicae quam maxime intersit, Pontificem in Ecclesia gubernanda et esse et apparere liberum nullique obnoxium potestati, ideo, quod conscientia officii, simulque iurisiurandi quo obstringimur, sacrosancta religio postulat, gravissimam in hoc genere iniuriam Ecclesiae illatam conquerimur;") denounced the spirit of the age ("novarum rerum cupido, ut est aetatis ingenium,") and vindicated

*) Adapted from Janssen's Geschichte des deutschen Volkes seit dem Ausgang des Mittelalters, vol. I, 17th and 18th edition, pp. 237-240.

for the Supreme Pontiff the right to "mix in politics" ("Utique intelligimus nonnullis offensioni fore, quod dicimus, curare Nos rem etiam politicam oportere. Verum quisque aequus rerum iudex videt, Pontificem a magisterio, quod gerit, fidei morumque nequaquam posse politicorum genus diiungere.")

After all these assurances there was hardly need of the specific declaration of the new Pope that he would faithfully follow the policy of his predecessors ("Nos eam ipsam insistere velle, nec aliam posse viam, quam decessores Nostri usque adhuc institerint.")

Our Liberals will take heed that a revival of "Americanism," as recently attempted for instance by Msgr. Bernard O'Reilly in the last edition of his 'Life of Leo XIII.' (to which we intend to devote an elaborate criticism) will invariably lead to a new "Testem benevolentiae."

The Catholic public is hereby warned against a negro who calls himself James D. Gardner or Gardiner, claims to be a missionary, and has recommendations from a number of bishops. He is a tall, powerfully built man, with a somewhat strangely shaped head, dresses in a sort of bluish uniform, and usually carries with him copies of Gibbons' 'Faith of Our Fathers' and 'Catholic Belief,' which he pretends to distribute among his colored brethren. The fellow has been publicly denounced by Bishop Messmer and Coadjutor-Archbishop Moeller as a swindler.

"Mr. Preuss' REVIEW very properly scores that pretentious Catholic magazine, *Men and Women*, of Cincinnati, for praising Parkman as if he were conscientious and truthful. Francis Parkman, as Mr. Edouard Richard proves conclusively in his two volumes on Acadia, is a most skilful and systematic distorter of history. He is even more dangerous, because more plausible and less easy to detect, than Froude."—*Northwest Review*, No. 9.

We are pleased to learn that our esteemed friend Rt. Rev. Bishop S. G. Messmer, of Green Bay, has been raised to the metropolitan see of Milwaukee. He is a learned and zealous prelate, and we hope he will administer his new and very important office *ad multos annos*.

We were surprised to find in a recent number of the *Independent* the picture of a Franciscan monk garbed in the habit of his order. But we soon found he was a fallen-away monk. That is the only kind the *Independent* has any use for.